

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Majchrzak et al.
Title: FOOD CONTAINER
Application No.: To be determined
Filing Date: To be determined
Examiner: To be determined
Art Unit: To be determined..
Attorney Docket No.: 032016-0128

Mail Stop **PETITION**
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

PETITION TO MAKE SPECIAL UNDER 37 C.F.R. § 1.102(c)

Applicants hereby petition the Patent and Trademark Office under 37 C.F.R. § 1.102(c) to make special the instant application. It is believed that no fee is due for the instant petition; however, should a fee be required, the PTO is authorized to charge the Deposit Account No. 06-1447. This petition is submitted on the grounds that one of the present applicants is 65 years of age or more as set forth in 37 C.F.R. § 1.102(c). The basis for the petition is to obtain special status for this application so that it receives expedited prosecution.

M.P.E.P. § 708.02 IV provides that “[a]n application may be made special upon filing a petition including any evidence showing that the applicant is 65 years of age, or more, such as a birth certificate or applicant’s statement. No fee is required for such a petition.”

In the present case, Allan Witt is greater than 65 years of age. A copy of his notarized birth certificate and his notarized statement that he is over 65 years of age is attached hereto, thereby providing evidence that Allan Witt is greater than 65 years old and meets the requirements for awarding "special" status to the present application.

Applicants believe they have satisfied all of the requirements for this patent application to be granted special status. Granting this petition is earnestly solicited.

Respectfully submitted,

Date Jan 23, 2004

By Scott C. Niel

FOLEY & LARDNER
Customer Number: 26371
Telephone: (414) 297-5718
Facsimile: (414) 297-4900

Scott C. Nielson
Attorney for Applicants
Registration No. 50,755